

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHAWN GLOVER, JR.,

Case No. 3:22-cv-00207-LRH-CSD

Petitioner,

v.

ORDER

WARDEN REUBART, *et al.*,

Respondents.

This habeas matter is before the Court on Respondents’ Motion for Leave to File Exhibits Under Seal (ECF No. 27). Respondents seek leave to file under seal two documents in support of the Motion to Dismiss (ECF No. 29): Exhibit 51, Petitioner’s Presentence Investigation Report (“PSI”) (ECF No. 28-1), dated August 29, 2018 and Exhibit 53, Defendant’s Sentencing Memorandum (ECF No. 28-2), dated October 5, 2018. Under Nevada law, the PSI is “confidential and must not be made a part of any public record.” Nev. Rev. Stat. § 176.156(5). In addition, the need to protect medical privacy generally qualifies as a “compelling reason” for sealing records in connection with a dispositive motion. *E.g. Abbey v. Hawaii Emp’rs Mut. Ins. Co. (HEMIC)*, 760 F. Supp. 2d 1005, 1013 (D. Haw. 2010); *see also* Nev. Rev. Stat. § 433A.715(1) (requiring courts to seal records related to mental health treatment). Here, Exhibit 53 includes psychological evaluations, which contain sensitive private information.

Having reviewed and considered the matter in accordance with *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), and its progeny, the Court finds that a compelling need to protect Petitioner’s safety, privacy, and/or personal identifying information outweighs the public interest in open access to court records.

IT IS THEREFORE ORDERED that Respondents’ Motion for Leave to File Exhibits

1 Under Seal (ECF No. 27) is GRANTED.

2 It is further ordered that Exhibit 51 (ECF No. 28-1) and Exhibit 53 (ECF No. 28-2) are
3 considered properly filed under seal.

4 IT IS SO ORDERED.

5 DATED this 2nd day of November, 2023.

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9 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE